

## Remarks

Claims 1-29 are at issue. Claims 1-5, 7-9, 11, 13-18, 2-23, & 25-27 stand rejected under 35 USC 102(e) as being anticipated by Jamtgaard et al (USPN 643024). Claims 6, 10, 12, 19, 24, 28 & 29 stand rejected under 35 USC 103(a) as being unpatentable over Jamtgaard et al in view of Povilus (US 5740425).

### Response to Arguments Section

The applicants appreciate the Examiners explanation as it has provided valuable insight into the analogies the Examiner is making. As understood by the applicants the Examiner is arguing that the XHTML conversion to RML is the key part of Jamtgaard. XHTML representing the first hierarchical data structure and RML representing the second hierarchical data structure. The Examiner states that the presentation shoe is the dynamic data generation module. However, the presentation shoes are used to convert the RML into end device specific protocols such as WML and HDML (See Col. 8, lines 5-16). Thus the presentation shoe is not part of the conversion from XHTML to RML. The conversion of RML to one of the other device specific protocols cannot be considered a conversion from a first hierarchical data scheme to a second hierarchical data scheme, since clearly the device specific schemes are not data schemes but interpretive display scripts. Since the presentation shoes have nothing to do with the XHTML to RML conversion it cannot be considered analogous to the dynamic data generation module for this step. Finally claim 1 requires a template that defines the second hierarchical data scheme and the dynamic data generation module be contained in the template. In the response to arguments section, there is no discussion of the template. In the main portion of the Office Action the Examiner points to element 122 as the template. If we accept that this is the template and the presentation shoes as the dynamic data generation modules then the dynamic data generation modules are not contained in the template. (See Col. 8, lines 5-15) The Examiner's analogies to the claims are not consistent and do not show the elements in the claims. Note that the applicants do not necessarily accept that element 122 is a template. A template is defined as "a pattern or mold used as a guide to the form of the piece being made." *Webster's New Collegiate Dictionary*, 1979. The element 122 is not a pattern but the end product of the RML file. At column 13, lines 5-7, Jamtgaard states element 122 is "an RML page."

### Claims

Claim 1 requires converting data in a first hierarchical data structure to a second hierarchical data structure. HTML and the end device protocols such as WML & HDML are not hierarchical data structures, they are interpretive graphical display scripts. Thus the only conversion in Jamtgaard et al that qualifies is the conversion from XHTML to RML. If we accept that element 122 of Jamtgaard is the template required by claim 1, then there is no dynamic data generation module in the template. The presentation shoes are not in the element 122 and do not aid in the conversion from XHTML to RML. Note that the applicants do not necessarily accept that element 122 is a template. A template is defined as "a pattern or mold used as a guide to the form of the piece being made." *Webster's New Collegiate Dictionary*, 1979. The element 122 is not a pattern

but the end product of the RML file. At column 13, lines 5-7, Jamtgaard states element 122 is "an RML page." Thus, Jamtgaard et al does not show all the element required by claim 1. Claim 1 is allowable.

Claims 2, 5-12 are allowable as being dependent upon an allowable base claim.

Claim 3 requires a driver connected between the dynamic data generation module and the data source. Since, the XHTML and RML are both in the same device 12 no driver is required for the conversion. Jamtgaard does not show a driver in the appropriate part of the conversion process. The Examiner points to item 40 but this driver is between the HTML and the XHTML and therefore is not part of a conversion between hierarchical data structures. Claim 3 is allowable over the prior art.

Claim 4 requires a developer module for hierarchical data structures. The developer module pointed to by the Examiner (Col. 5, lines 17-25) has to do with conversion of a graphical interpretive script (HTML) into another graphical interpretive script (eg., WML). Claim 4 is allowable over the prior art.

Claim 13 requires converting data in a first hierarchical data structure to a second hierarchical data structure. HTML and the end device protocols such as WML & HDML are not hierarchical data structures, they are interpretive graphical display scripts. Thus the only conversion in Jamtgaard et al that qualifies is the conversion from XHTML to RML. If we accept that element 122 of Jamtgaard is the template required by claim 1, then there is no dynamic data generation module in the template. The presentation shoes are not in the element 122 and do not aid in the conversion from XHTML to RML. Note that the applicants do not necessarily accept that element 122 is a template. A template is defined as "a pattern or mold used as a guide to the form of the piece being made." *Webster's New Collegiate Dictionary*, 1979. The element 122 is not a pattern but the end product of the RML file. At column 13, lines 5-7, Jamtgaard states element 122 is "an RML page." Thus, Jamtgaard et al does not show all the element required by claim 13. Claim 13 is allowable.

Claim 14 requires receiving a data source for obtaining the dynamically generated data. In Jamtgaard there is a single data source, so there is no need to receive the data source as part of dynamically generating data.

Claims 15-17 are allowable as being dependent upon an allowable base claim.

Claim 18 requires a static extensible markup language template. A template is defined as "a pattern or mold used as a guide to the form of the piece being made." *Webster's New Collegiate Dictionary*, 1979. The element 122 is not a pattern but the end product of the RML file. At column 13, lines 5-7, Jamtgaard states element 122 is "an RML page." Claim 18 also requires a data source for each datum that is dynamically generated. HTML and the end device protocols such as WML & HDML are not hierarchical data structures, they are interpretive graphical display scripts. Thus the only conversion in Jamtgaard et al that qualifies is the conversion from XHTML to RML. In this conversion there is only one source the XHTML file so no data source need to be specified for each datum. Claim 18 is allowable over the prior art.

Claims 19, 22, 25 are allowable as being dependent upon an allowable base claim.

Claim 20 requires defining an input parameter. The input parameter is a variable to be filled in with actual data during the conversion process. If we accept the Examiner's definition that element 122 is the template then we should be able to find an input parameter. However, there are no input parameters in element 122 just the actual

data. To verify this, just compare the data in the XHTML document 124 with the data in element 122. Claim 20 is allowable over the prior art.

Claim 21 requires a driver connected between the dynamic data generation module and the data source. Since, the XHTM and RML are both in the same device 12 no driver is required for the conversion. Jamtgaard does not show a driver in the appropriate part of the conversion process. The Examiner points to item 40 but this driver is between the HTML and the XHTML and therefore is not part of a conversion between hierarchical data structures. Claim 21 is allowable over the prior art.

Claim 23 requires a screen having the list of element and metatags. The Examiner points to FIGs. 9A & 9B. However, the text never describes that this information is shown on a screen, it is merely shown in these figures as explanatory. Claim 23 is allowable over the prior art.

Claim 24 requires an incomplete version of the template. Note that the applicants do not accept that element 122 is a template. A template is defined as "a pattern or mold used as a guide to the form of the piece being made." *Webster's New Collegiate Dictionary*, 1979. The element 122 is not a pattern but the end product of the RML file. At column 13, lines 5-7, Jamtgaard states element 122 is "an RML page." Claim 24 is allowable over the prior art.

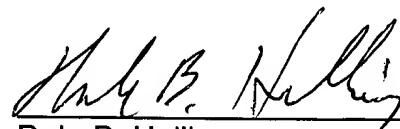
Claim 26 requires a sample extensible markup language file. Note that the applicants do not accept that element 122 is a sample XML file or template. A template is defined as "a pattern or mold used as a guide to the form of the piece being made." *Webster's New Collegiate Dictionary*, 1979. The element 122 is not a pattern but the end product of the RML file. At column 13, lines 5-7, Jamtgaard states element 122 is "an RML page." Claim 26 is allowable over the prior art.

Claims 27-29 are allowable as being dependent upon an allowable base claim. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

(Vandersluis)

By

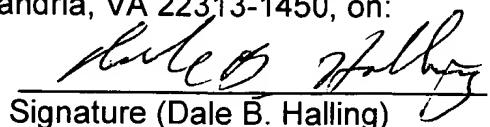


Dale B. Halling  
Attorney for the Applicant  
Registration No. 38,170  
Phone: (719) 447-1990  
Fax: (719) 447-9815

I hereby certify that an Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on:

1/29/04

Date

  
Signature (Dale B. Halling)